

In the Matter of:
Anne Dunn, et al vs
Patrick Barry, et al

John Nguyen
November 12, 2019

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1 is out of my area to tell if they're on something.

2 Q. while you were working inside the facility,
3 were there occasions when there were inmates who
4 appeared to be under the influence?

5 A. Not that I recall of, sir.

6 Q. Had you received any training with regard to
7 the use of Narcan back at the time of this incident?

8 A. At that time, no, sir.

9 Q. Had you learned of the availability of
10 medications to assist people who were possibly
11 suffering from a drug overdose at the time of this
12 incident?

13 A. No, we're not trained to give medication,
14 sir.

15 Q. Not your training. Did you know of it from
16 any source, that there was such medication available
17 if someone had an overdose?

18 A. Not that I know of, sir.

19 Q. But you understood that at MASAC, they would
20 treat people who had, among other things, problems
21 with substance abuse, including opiates; correct?

22 A. Yes.

23 Q. Did you know Sam Dunn from before this
24 incident?

1 A. Vaguely, because I -- we -- I work inside the
2 jail, and I see a lot of people. I might have come
3 across him. I'm not sure. I don't recall that I
4 ever see him before.

5 Q. When you were interviewed by the State
6 Police, did you say that you had seen him before and
7 possibly had transported him?

8 A. I might have. I don't recall, sir.

9 Q. Did you learn whether Officer Barry was
10 familiar with Sam Dunn?

11 A. I'm -- I'm not sure, sir.

12 Q. Well, after this incident, did you learn
13 whether Sam Dunn was familiar to people at the Essex
14 County Sheriff's Department?

15 A. They talked about him, yes.

16 Q. Who talked about him?

17 A. Officers. I don't really recall their names,
18 but I did met -- I did hear people at the jail did
19 mention that he is a repeat -- repeat inmate. He
20 comes and goes.

21 Q. And that day you knew that he had been
22 injured, had a head injury; correct?

23 MS. BAKER: Objection.

24 A. I don't recall, but I -- yeah.

1 Q. Did you observe Mr. Dunn and view his head?

2 A. Have I observed him at that time?

3 Q. Yes.

4 A. Yes.

5 Q. And did you notice that he had a scar on his
6 head?

7 A. I -- I really don't recall. I'm sorry.

8 Q. So at the time of this incident, you weren't
9 aware of the way Sam Dunn behaved ordinarily;
10 correct?

11 A. I was -- I was aware of when -- my apology.
12 what's the question again?

13 Q. Okay. The question is: January 6th of 2016,
14 when you first encountered Mr. Dunn, were you aware
15 of the way he behaved ordinarily?

16 A. He's on his feet unsteady at Newbury --
17 Newburyport Courthouse.

18 Q. Okay. My question is not what you saw. It's
19 what you knew before you first saw Mr. Dunn on
20 January 6th. Before you first saw him, were you
21 aware of what we might call his baseline, the way he
22 behaved ordinarily?

23 A. I'm sorry, sir. I don't understand the
24 question. My apology.

1 Q. whether from your own personal knowledge or
2 from things other people had told you, on January 6th
3 of 2016, were you aware of Sam Dunn's normal
4 behavior, the way he behaved?

5 A. No.

6 Q. Okay. Now, you mentioned sight and sound in
7 the van. Did the van have any microphone system?

8 A. No, sir.

9 Q. Did it have any video camera?

10 A. No, sir.

11 Q. So the way you would view someone in the van
12 would be by looking through the partitions?

13 A. Yes.

14 MR. FRIEDMAN: Okay. we'll look
15 at a series of photographs. we'll mark
16 this one. Let's mark two at once.

17 (Exhibits 6 and 7, photographs,
18 marked.)

19 Q. I'm showing you documents that are marked as
20 Exhibits 6 and 7, okay?

21 MS. BAKER: Do we need to share?

22 MR. FRIEDMAN: You need to share.

23 I don't --

24 MS. BAKER: Okay.